

NOV 18 2008

Board of Vocational Nursing  
and Psychiatric Technicians

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**BEFORE THE  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. PT-2006-1327

JUD CURTIS PRICE  
1204 Corral Creek, Apt. 1  
Paso Robles, CA 93446

**ACCUSATION**

Psychiatric Technician License No. PT 32707

Respondent.

Complainant alleges:

**PARTIES**

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this  
Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational  
Nursing and Psychiatric Technicians, Department of Consumer Affairs (Board or Bureau).<sup>1</sup>

2. On or about May 3, 2005, the Board issued Psychiatric Technician License

1. Effective July 1, 2008, the Board of Vocational Nursing and Psychiatric Technicians  
(Board) became a Bureau within the Department of Consumer Affairs (DCA). The DCA is  
vested with all the duties, powers, purposes, responsibilities and jurisdiction not otherwise  
repealed of the Board and its executive officer. The DCA is under the control of the Director of  
Consumer Affairs and any reference to the Board shall be understood to mean the Director of  
Consumer Affairs.

No. PT 32707 to Jud Curtis Price (Respondent). The Psychiatric Technician License was in full force and effect at all times relevant to the charges brought herein. Said license expired on June 30, 2008, and has not been renewed.

### JURISDICTION

3. This Accusation is brought before the Bureau, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Bureau jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under Section 4545, the Board may renew an expired license at any time within four years after the expiration.

5. Section 490 states:

"A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code."

6. Section 4504 states that "[t]he board may adopt rules and regulations to carry out the provisions of this chapter."

7. Section 4520 provides, in pertinent part, that the Board may discipline any licensed psychiatric technician for any reason provided in Article 3 (commencing with section 4520) of the Psychiatric Technicians Law (Code § 4500, et. seq.)

8. Section 4521 states, in pertinent part:

1            "The board may suspend or revoke a license issued under this chapter [the  
2        Psychiatric Technicians Law (Bus. & Prof Code, 4500, et seq.)] for any of the following reasons:

3            "(a) Unprofessional conduct, . . . .

4            . . . .

5            "(d) Violating or attempting to violate, directly or indirectly, or assisting in or  
6        abetting the violation of, or conspiring to violate any provision or terms of this chapter.

7            . . . .

8            "(f) Conviction of any offense substantially related to the qualifications,  
9        functions, and duties of a psychiatric technician, in which event the record of the conviction shall  
10       be conclusive evidence of the conviction. The board may inquire into the circumstances  
11       surrounding the commission of the crime in order to fix the degree of discipline. . . ."

12           9.       California Code of Regulations, title 16, section 2564 states:

13           "All persons holding a license from the Board shall file their current mailing  
14       address with the Board at its office in Sacramento, and shall immediately notify the Board of any  
15       and all changes of mailing address, within 30 days after the change, giving both their old and new  
16       addresses and license number."

17           10.      California Code of Regulations, title 16, section 2578 states, in pertinent  
18       part:

19           "For the purposes of denial, suspension, or revocation of a license pursuant to  
20       Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or  
21       act shall be considered to be substantially related to the qualifications, functions or duties of a  
22       licensed psychiatric technician if to a substantial degree it evidences present or potential  
23       unfitness of a licensed psychiatric technician to perform the functions authorized by his license in  
24       a manner consistent with the public health, safety, or welfare. . . ."

25           11.      Section 125.3 provides, in pertinent part, that a Board may request the  
26       administrative law judge to direct a licensee found to have committed a violation or violations  
27       of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
28       enforcement of the case.

1 FIRST CAUSE FOR DISCIPLINE

2 (Conviction of Substantially Related Crime)

3 12. Respondent is subject to disciplinary action pursuant to Business and  
4 Professions Code Sections 490 and 4521, subdivision (f), as defined by California Code of  
5 Regulations, title 16, section 2578, in that Respondent was convicted of a crime substantially  
6 related to the qualifications, functions, or duties of a licensed psychiatric technician, as follows:

7 a. On or about February 27, 2007, in a criminal proceeding entitled *The*  
8 *People of the State of California v. Jud Curtis Price* in San Luis Obispo County Superior Court,  
9 San Luis District, Case No. F000397321, Respondent was convicted on his plea of *nolo*  
10 *contendere* for violating Penal Code section 273.5(a) (inflicting corporal injury on  
11 spouse/cohabitant), a felony. The Court issued a protective order for Respondent's spouse that  
12 expires on January 23, 2010. In addition to 60 days jail time, a total of \$1,016.05 in fines and  
13 penalties, and 3 year probation, the Court ordered Respondent to complete a 52 week Batterer's  
14 Intervention Program and 20 hrs. community work service.

15 b. The circumstances of the conviction are that on or about December 25,  
16 2006, Paso Robles Police Department officers responded to a domestic violence incident at  
17 Respondent's home wherein Christmas was being celebrated with family. Respondent, in a  
18 jealous rage, tossed a pot of boiling water (w/potatoes) on his spouse. His two children were in a  
19 different room, with other family members, close enough to hear the screams of their mother, the  
20 victim. Respondent was interviewed and arrested. The victim was transported to the hospital on  
21 a gurney by medical personnel for second degree burns on her chest, arm and thigh.

22 SECOND CAUSE FOR DISCIPLINE

23 (Required to Notify Board of Change of Mailing Address)

24 13. Respondent is subject to disciplinary action pursuant to Section 4521,  
25 subdivision (d) in conjunction with Section 4504 and California Code of Regulations, title 16,  
26 section 2564, in that Respondent failed to notify the Bureau at its principal office of any change  
27 of mailing address within 30 days of the change. On June 5, 2007, a certified letter from the  
28 Bureau mailed to the Respondent at his address of record, was returned "Unclaimed."

1 THIRD CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 14. Respondent is subject to disciplinary action pursuant to Section 4521,  
4 subdivision (a), in that Respondent committed acts of unprofessional conduct as more fully set  
5 forth above in paragraphs 12 and 13.

6 PRAYER

7 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
8 alleged, and that following the hearing, the Bureau of Vocational Nursing and Psychiatric  
9 Technicians issue a decision:

10 1. Revoking or suspending Psychiatric Technician License No. PT 32707,  
11 issued to Jud Curtis Price.

12 2. Ordering Jud Curtis Price to pay the Bureau of Vocational Nursing and  
13 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,  
14 pursuant to Business and Professions Code section 125.3;

15 3. Taking such other and further action as deemed necessary and proper.

16 DATED: November 18, 2008

17  
18   
TERESA BELLO-JONES, J.D., M.S.N., R.N.

19 Executive Officer

Bureau of Vocational Nursing and Psychiatric Technicians

Department of Consumer Affairs

State of California

21 Complainant

22 LA2008600380

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